

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI: EASTERN DIVISION

HANS MOKE NIEMANN,)	
)	
<i>Plaintiff,</i>)	Civil Action No. 4:22-CV-01110
)	
v.)	
)	Hon. Audrey G. Fleissig
SVEN MAGNUS ØEN CARLSEN A/K/A)	
MAGNUS CARLSEN, PLAY MAGNUS)	
AS D/B/A PLAY MAGNUS GROUP,)	
CHESS.COM, LLC, DANIEL RENSCH)	
A/K/A “DANNY” RENSCH, AND)	
HIKARU NAKAMURA,)	
)	
<i>Defendants.</i>)	

**PLAINTIFF HANS MOKE NIEMANN’S MOTION FOR
EXTENSION OF TIME TO RESPOND TO DEFENDANTS’
MOTIONS TO DISMISS AND FOR AN ENLARGMENT OF PAGE LIMIT**

Plaintiff Hans Moke Niemann (“Plaintiff”) respectfully submits this motion for an order granting Plaintiff (i) a 23-day extension of time (*i.e.*, until March 2, 2023) to file his oppositions to Defendants’ four separate and non-duplicative motions to dismiss, and (ii) leave to file a consolidated brief of no more than 75 pages in length in opposition to Defendants’ four separate motions to dismiss.

In support, Plaintiff states as follows:

1. On November 29, 2022, the Court granted Defendants Magnus Carlsen (“Carlsen”) and Chess.com, LLC’s (“Chess.com”) unopposed motion to file non-duplicative briefs of 25 pages each in support of their motions to dismiss Plaintiff’s Amended Complaint.

2. On December 2, 2022, Carlsen filed a 25-page brief in support of his motion to dismiss (ECF No. 44), Chess.com filed a non-duplicative 25-page brief in support of its motion to dismiss (ECF No. 47), and Defendant Daniel Rensch, an officer of Chess.com, filed a separate non-duplicative 9-page brief in support of his motion to dismiss (ECF No. 55). On December 7, 2022, Defendant Hikaru Nakamura filed a 14-page brief in support of his motion to dismiss. ECF No. 61.

3. Plaintiff filed his Second Amended Complaint on January 10, 2023.

4. On January 12, 2023, counsel for Defendants moved for leave to file further enlarged, non-duplicative briefs in support of their motions to dismiss the Second Amended Complaint, this time seeking to file a total of 95 pages of opening briefing (30 pages for Chess.com, 30 pages for Mr. Carlsen, 20 pages for Mr. Nakamura, and the standard 15 pages for Mr. Rensch).

5. The Court granted Defendants' motion on January 13, 2023.

6. On January 24, 2023, Defendants filed their four separate motions. Combined, Defendants filed 92 pages of briefing. Because Carlsen and Chess.com split arguments between their two briefs, they effectively filed a 60-page joint memorandum. For example, Chess.com incorporates by reference 13 pages of anti-SLAPP arguments from Carlsen's brief, and Carlsen incorporates by reference 9 pages of antitrust arguments from Chess.com's brief. In total, Defendants cite 190 different court opinions from across the country.

7. Given the sheer volume of Defendants' numerous briefs, Plaintiff requires additional time to file his opposition papers. Plaintiff's need for additional time is amplified by the fact that Plaintiff's counsel's heavily congested calendar includes conducting a major arbitration scheduled to last at least five full hearing days beginning on February 14, 2023.

8. Further, to respond to the multitude of wide-ranging legal arguments in Defendants' 92 pages of non-duplicative legal briefing, Plaintiff requires a commensurate enlargement of the page limit and proposes filing one consolidated opposition to all four motions of no more than 75 pages.

9. Defendants consent to this enlarged page limit, but do not agree to more than a 7-day extension of time to oppose all four motions, which would make Plaintiff's opposition due on the opening day of his counsel's arbitration hearing.

10. Accordingly, Plaintiff respectfully requests that the Court order (i) that Plaintiff be permitted to file a consolidated brief of no more than 75 pages in length in opposition to Defendants'

four motions to dismiss; and (ii) a 23-day extension of time (*i.e.*, until March 2, 2023) to respond to all four of Defendants' motions to dismiss.

Dated: New York, New York
January 25, 2023

Respectfully submitted,

s/Andrew J. Urgenson
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